STATUTORY INSTRUMENTS

2010 No. 959

The Care Planning, Placement and Case Review (England) Regulations 2010

PART 2

Arrangements for looking after a child

Contact with a child in care

8.—(1) This regulation applies if C is in the care of the responsible authority and they have decided under section 34(6) (*refusal of contact as a matter of urgency*) to refuse to allow contact that would otherwise be required by virtue of section 34(1) [M1] or an order under section 34 (*parental contact etc. with children in care*).

(2) The responsible authority must immediately give written notification to the following persons of the information specified in paragraph (3) ("the specified information")—

(a) C, unless it would not be appropriate to do so having regard to C's age and understanding,

(b) P,

(c) where, immediately before the care order was made, a person had care of C by virtue of an order made in exercise of the High Court's inherent jurisdiction with respect to children, that person,

(d) any other person whose wishes and feelings the responsible authority consider to be relevant, and

(e) the IRO.

(3) The specified information is—

(a) the responsible authority's decision,

(b) the date of the decision,

(c) the reasons for the decision,

(d) the duration of the decision (if applicable), and

(e) remedies available in case of dissatisfaction.

(4) The responsible authority may depart from the terms of any order made under section 34 by agreement with the person in relation to whom the order is made, provided that—

(a) C, being of sufficient age and understanding, also agrees, and

(b) written notification of the specified information is given within five working days to the persons listed in paragraph (2).

(5) Where the responsible authority has decided to vary or suspend any arrangements made (otherwise than under an order under section 34) with a view to affording any person contact with C, the responsible authority must immediately give written notification containing the specified information to the persons listed in paragraph (2).

(6) The responsible authority must record any decision made under this regulation in C's care plan.

Marginal Citations

M1 Section 34(1) was amended by section 139(1) of, and paragraphs 54 and 64 of Schedule 3 to, the Adoption and Children Act 2002.

Changes to legislation:
There are currently no known outstanding effects for the The Care Planning, Placement and Case Review (England) Regulations 2010, Section 8.